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C O N F I D E N T I A L SECTION 01 OF 02 ISTANBUL 000594

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [AA](#) [OSCE](#) [TU](#)
SUBJECT: DINK LAWYER OPTIMISTIC DESPITE CONCERNS OF GROWING
NATIONALISM

REF: A. ISTANBUL 370
[1](#)B. ANKARA 1194
[1](#)C. ANKARA 1707

Classified By: Consul Genereal Sharon A. Wiener for reasons 1.4(b) and (d).

[1](#)1. (C) Summary: The Prime Ministry Inspection Board's report summarizing the findings of its investigation into the murder of Hrant Dink concludes that security officials could have prevented Dink's murder had they acted on available intelligence. Dink family lawyer Fethiye Cetin told us she is optimistic the report will help fuel a discussion about Turkey's past but is pessimistic the report will lead to a new investigation into the negligence on the part of the police and Jandarma. Given uncertainty over the GOT's actions, Cetin and the Dink family are pursuing several cases to the European Court of Human rights , including one against the GOT for halting investigations into negligence by Jandarma officials in Trabzon. She argues that Dink's murder is the result of long term (from 2004 until the murder in 2007) planning by a very well organized group. End Summary.

[1](#)2. (U) Leaked to the press prior to the Prime Minister's approval, the Prime Ministry Inspection Board's two hundred -page report summarizes the findings of a one and a half-year investigation into the January 19, 2007 murder of Hrant Dink. The Board concluded that Dink's murder could have been averted had officials resolved the bombing of a McDonald's in Trabzon, the home of the primary murder suspect, in 2004. Erhan Tuncel, the alleged mastermind of the plot against Dink, was linked to the McDonald's bombing but did not appear in court. Had Tuncel been questioned during the bombing trial, his strong ties to violent ultranationalist groups would have been more apparent. The report also concluded that security officials failed to provide Dink protection despite credible intelligence about a plot to kill him. According to the report, both the police and the Jandarma had tips about the plot to kill Dink, but did not share intelligence with the other. The Board suggests that the Prime Ministry open a new investigation for neglect against police and Jandarma officials in Trabzon, pointing out that Dink had not received protection despite the tips about an assassination plot. The Board also noted in the report that officials from the Ministry of Justice were uncooperative during its investigation.

[1](#)3. (SBU) Despite the Board's recommendation, a new investigation into the negligence of the police and Jandarma in Trabzon is unlikely, according to Dink family lawyer Fethiye Cetin. In order to open a new case against security officials, she said, the prosecutor would need to present new evidence of negligence. Cetin said that because such new evidence is not available now, the family is pursuing two cases against the GOT in the European Court of Human Rights for halting investigations into the negligence of the

Jandarma and police. After the GOT stopped investigating the Jandarma in Trabzon, Cetin submitted a case to the ECHR in the end of 2007 and another concerning the Trabzon police in May 2008. Cetin said she is also pursuing a case in the Regional Administrative Court against the Samsun and Istanbul Jandarma officials. Finally, Cetin is preparing a case for the ECHR against the GOT for halting investigations into the negligence of Jandarma in Samsun and Istanbul.

¶4. (SBU) Reflecting on the murder Cetin told us, "Dink's murder was very well planned by a very well organized group of individuals working since early 2004. It was not just the gunman who pulled the trigger." According to Cetin, the evidence she has collected so far points to a larger group of guilty individuals, including prominent figures Veli Kucuk and Oktay Yildirim, both of whom were named in the Ergenekon indictment and are currently in jail pending the outcome of that trial. These individuals, she contended, "prepared the psychological atmosphere" for Dink's murder and used the Jandarma and police to prevent a proper investigation into his death.

¶5. (C) Cetin is optimistic that the Board's report will lead to more dialogue on the topic of Dink's murder and Turkey's history, but said "nationalistic" comments made by PM Erdogan recently are a cause for concern. Poverty and growing unemployment, especially in Turkey's East, fuel a search for blame, according to Cetin. The GOT may be promoting violent nationalism as a safe channel for the ruling AKP party for reactions to poverty, she said. If AKP is becoming more nationalistic, Cetin predicted that it will be more "difficult to protect freedom of speech and have necessary

ISTANBUL 00000594 002 OF 002

discussions about Turkey's past."

¶6. (SBU) Comment: The Prime Ministry's Inspection Board's findings and recommendations suggests that the GOT engage in a dialogue about the impact of nationalism and "deep state" actions. The Ergenekon trial of accused "deep state" actors such as Veli Kucuk is perceived by others like Cetin to be a long needed GOT warning to others contemplating violent nationalist acts. The GOT's choice to commission and release the report suggests a desire to expose deep state networks and shares similar objectives with the Ergenekon investigation (Ref C).
WIENER